

Nutrition Labeling Stakeholder Meeting
Casey Family Programs Community Room
April 3, 2008
9:00 to 11:00 am

Public Health: Dennis Worsham, Mark Rowe, Donna Oberg, Jennifer Johnson, Morgan Barry; Reema Rafii, Helen Chatalas, Gary Kickbusch

Stakeholders: Wes Benson, Taco Time; Becki Holmes, Starbucks; Trent House, WRA; Josh McDonald, WRA; Lane Hoss, Anthony's; Chirs Bryant, Restaurants Unlimited; Lindsay Willis, Starbucks; Bruce Gardiner, Motion Picture Exhibitors; Scott Kingdon, Ivars; Jane Dale, QFC.

King County Board of Health: Carrie Cihak

WA DOH: Dave Gifford, Janet Anderberg

Purpose of meeting: to review the negotiated and amended Nutrition Labeling regulation that was passed in an emergency session March 12th, 2008.

Context: After introductions, Dennis reviewed the reasons that the regulation was proposed and passed in 2007. Increasing rates of obesity in King County, with associated chronic diseases like heart, stroke and diabetes led the BOH to take two regulatory actions. Foods containing 0.5 grams or more of artificial trans fat per serving will be phased out as an ingredient of foods prepared and served in all King County food establishments. From May 1st, fry oils and spreads must have less than 0.5 grams of trans fat. By February 1, 2009, food establishments are not allowed to use artificial trans fat containing products containing 0.5 grams or more.

The second regulation passed by the Board of Health was Nutrition Labeling, which requires that chain restaurants post nutrition information in their menus and calories on their menu boards. With the nutrition information readily available, consumers can make informed choices to meet their food preferences and support healthier eating choices.

The King County Board of Health's goal is to prevent disease and promote health. By changing the environment in chain restaurants the goal is to promote healthier choices along with an consumer education campaign being to assist consumers in interpreting the readily available new nutrition information available at the point of ordering.

Trent House of Washington Restaurant Association discussed that the artificial trans fat regulation was acceptable to the food industry because manufacturers were moving in that direction anyway. However, there had been more concerns over menu labeling at chain restaurants. Trent reviewed the bills introduced into the 2008 legislative session that led to a legislative request for the WRA and King County to work together on a compromise. The negotiations resulted in a

regulation that offers more options for posting nutrition information chain restaurants in King County.

Reviewed changes negotiated for the amended regulation - "Nutrition Labeling":

- **Chain restaurants with 15 or more national locations**, originally 10 locations
- Nutrition information required for standard menu items on menu for more than **90 days**, originally 60 days
- Offering substantially the same menu items (**80% menu items using same recipe**, originally 50%)
- **Now excluded:** grocery, convenience stores and theaters

Nutrition Labeling Requirements at Chain Restaurants:

- **Menu Labeling**
 - Required Nutrition Labeling: **calories, saturated fat, carbohydrate, sodium**, with trans fat no longer required on menu
 - Nutrition information is easily readable with typeface similar to other information (**no less than 9 point font**) and posted next to each standard menu item
- **Approved Alternatives** for Nutrition Labeling on Menus
- **A statement** must be provided **on each page** stating where nutrition information is posted.
 - **Menu Insert** – presented by server with the menu includes the nutrition information next to each standard menu item in the same order as the menu.
 - **Menu appendix** – attached in the back of the menu listing the standard menu items in the same order as the menu
 - **Supplemental Menu** – similar general appearance to menu and in the same order presented by the server and available at each point of ordering.
 - **Electronic Kiosks** – available at each point of ordering so that consumers can easily view in one place and compare nutrition information for similar items. Standard menu items listed on the kiosks need to be in the same order as the menu.
- **Approved Alternatives for Menu Board Labeling**
 - **Adjacent Sign:** Post the total number of calories per standard menu item on a sign on the same wall as the menu board. Calories must be easily readable with font size as prominent as prices on menu board and listing food categories and standard food items in same order as menu board.
 - **Sign in Queue at Eye Level:** Post the calories per standard menu item in the same order as menu board at or before the point of ordering. **Sign** shall be no smaller than **2' x 3'** and easily readable in a typeface similar to the menu board and no smaller than **40 point font**. The standard menu items must be listed in the same food categories and in same order as the menu board.
 - **Drive through menu boards** have until **August 1, 2009** to be in compliance

Revised required statement: "The Dietary Guidelines for Americans recommend limiting saturated fat to 20 grams and sodium to 2,300 milligrams for a typical adult eating 2,000 calories daily. Recommended limits may be higher or lower depending upon daily calorie consumption."

Alternative Method for Alcoholic Beverage Nutrition Labeling – Use average nutritional values: Wine, regular beer, light beer, distilled spirits. Optional disclaimer statement: “***Signature drinks or liquors with added ingredients may increase caloric content.***”

For more information: www.metrokc.gov/health/healthyeating 206-205-8777

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- The economy: “we are all competing for the same dollars. Why are groceries and delis excluded?”
 - Answer: many of the foods at groceries and delis were already excluded, making the regulation too complex. For example, self serve, food by the pound and customized orders were exempt.
- Question regarding font size for additional nutrition information for menu boards. There is no font size requirement for the nutrition materials for chain restaurants with menu boards
- Definitions necessary for clarity:
 - What are considered marketing materials? Take out menu? Curbside?
 - What is considered “routine and automatically,” as a guiding principle for consideration of an equivalent labeling method?

2nd meeting to review Policies and Procedures: April 25.

Meeting adjourned.